

JUN 14 1988

6/14/88

HW-112

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Sue E. Hays  
Rhone-Poulenc, Inc.  
P.O. Box 80963  
Seattle, Washington 98108

FILE COPY

Re: Notice of Violation and Warning, and Request for Information  
Environmental Protection Agency Identification Number WAD009282302

Dear Ms. Hays:

This Notice of Violation and Warning is being issued to your facility based on findings from the March 31, 1988, inspection and on information gathered during the subsequent investigation.

- A. On March 31, 1988, the United States Environmental Protection Agency (EPA) conducted a Resource Conservation and Recovery Act (RCRA) inspection at Rhone-Poulenc, Inc. (RPI) located in Seattle, Washington. At the time of the inspection, RPI was not in compliance with the Washington State Department of Ecology Dangerous Waste Regulations (and the equivalent RCRA regulations) due to the following:
1. RPI had failed to submit a revised Part A permit application no later than ninety days prior to the date (October 1, 1986) of the scheduled ownership change. This requirement is provided by WAC 173-303-805(7)(d) [40 CFR Section 270.72(d)].
  2. RPI had failed to comply with the interim status financial requirements of 40 CFR Part 265 Subpart H (as referenced in WAC 173-303-400). Specifically, RPI had not demonstrated compliance with the financial requirements within six months of the date (October 1, 1986) of the change in ownership. This requirement is provided by WAC 173-303-805(7)(d) [40 CFR Section 270.72(d)].
  3. RPI had failed to comply with the requirements of WAC 173-303-805(6)(a) [40 CFR Section 270.71(a)(1)]. Specifically, a F002 hazardous waste had previously been stored at your facility without this being acknowledged in the interim status permit.

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- B. For each of the violations listed under Section A of this letter, RPI must correct it and submit all documentations including all pertinent attachments thereto, which show the violation is corrected. The documentation shall consist of, at a minimum, the following:
1. A revised Part A permit application notifying the Washington State Department of Ecology of the ownership change.
  2. A demonstration of compliance with the financial requirements in accordance with WAC 173-303-400 [40 CFR Part 265, Subpart H].
  3. A revised Part A permit application to reflect the storage of F002 waste, as provided in WAC 173-303-805(7)(a) [40 CFR Section 270.72(a)].

The above requested information shall be submitted within thirty days of receipt of this letter to Charles W. Rice, Chief, RCRA Compliance Section, U.S. Environmental Protection Agency, HW-112, 1200 Sixth Avenue, Seattle, Washington, 98101. For your convenience, a Part A permit application form is enclosed.

Failure to submit the requested information within the time period specified may subject RPI to enforcement action under Section 3008 of RCRA [42 U.S.C. 6928]. Such enforcement action could include the assessment of substantial penalties of up to \$25,000.00 per day of noncompliance.

Should you or RPI find at any time after the submission of the requested information that any part of that information is false or misrepresents the truth, RPI is under an obligation to notify EPA thereof as soon as possible.

This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, Title 44 of the U.S. Code. If you wish to assert a confidentiality claim covering all or part of the information, herein requested, you should place on (or attach to) the information, at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "confidential". Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in 40 CFR Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to RPI.